

United States District Court
 for the
Southern District of Texas

UNITED STATES OF AMERICA)
 V.)
Eddie Van GREEN Jr.) Case Number:
Austin, Texas)
)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 2, 2018 in the county of Webb in the
 (Date) Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 8 United States Code, Section
 1324

A United States citizen did unlawfully transport Mexican nationals Alejandro CARINO-Balmes, Rocio Del Carmen SERANO-Silva, Ruben CASTILLO-Luna, Bernardo TELLO-Beltran, Jose Rogelio RODRIGUEZ-Zaragoza, Gildardo VILLEGRAS-Escalante, and twenty-nine (29) other undocumented aliens by means of motor vehicle within the Southern District of Texas, knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved or attempted to transport or move said aliens within the United States by means of transportation or otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

See attachment "A".



Continued on the attached sheet.

/S/ Ryan DiAndrea

Complainant's Signature

Ryan DiAndrea, HSI Special Agent

Printed Name and Title

Sworn to before me and signed in my presence,

Date: April 4, 2018

Judge's Signature

City and State: Laredo, Texas

Diana Song-Quiroga , U.S. Magistrate Judge

Printed Name and Title

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[CONT OF BASIS OF COMPLAINT]

On April 2, 2018, at approximately 4:00 pm, United States (U.S.) Customs and Border Protection (CBP), Office of Border Patrol (OBP) KAK 940 dispatch advised agents at the OBP Laredo North immigration checkpoint (C29) located on Interstate Highway 35 (IH35) that a concerned citizen called to report people entering a white tractor trailer near IH35 mile marker eight (8). The caller described the tractor as having the word "Royal" written on the side and the number 711083 on the trailer.

On April 2, 2018, at approximately 4:35 pm, a U.S. OBP agent assigned to OBP C29 conducted an immigration inspection of the driver of a white tractor trailer with the word "Royal" on the side. The driver, later identified as Eddie Van GREEN Jr., stated he was a U.S. citizen to the OBP agent. The OBP agent asked the driver if there was anyone else in the tractor with him, to which GREEN replied, "no." The OBP agent observed GREEN acting nervous and avoiding eye contact. An OBP agent and their service K9 alerted to the presence of concealed people and/or contraband in the trailer. The primary OBP agent then instructed GREEN to drive the tractor trailer to the secondary inspection area.

At secondary inspection, OBP agents performed a more thorough inspection of the tractor and trailer. This inspection yielded negative results. OBP agents observed the rear doors of the trailer lacked locks and/or seals. The OBP agents opened the rear doors of the trailer and observed thirty-five (35) subjects in the rear of the trailer. The subjects were sweating profusely. All subjects were questioned regarding their citizenship. All subjects were determined to be in the U.S. illegally. GREEN was placed under arrest and all subject were escorted inside of the OBP C29 holding area.

U.S. Immigration and Customs Enforcement, Homeland Security Investigations (HSI) Special Agents arrived at OBP C29. GREEN was read his Miranda rights in the English language, acknowledged he understood his rights, and verbally agreed to speak to the agents without the presence of an attorney. GREEN denied knowledge of the thirty-five (35) undocumented aliens (UDAs) in the rear of his trailer. GREEN stated that after he unloaded his load he parked on Tejas Loop in Laredo, Texas to rest and wait for another load. At approximately 4:00 pm, GREEN departed the location and headed towards OBP C29. After further questioning GREEN stated that he wanted an attorney and further questioning was discontinued.

Mexican nationals Alejandro CARINO-Balmes, Rocio Del Carmen SERANO-Silva, Ruben CASTILLO-Luna, Bernardo TELLO-Beltran, Jose Rogelio RODRIGUEZ-Zaragoza and Gilardo VILLEGRAS-Escalante, six (6) of the UDAs that were being transported, are being held as material witnesses in the case against GREEN. All six (6) material witnesses stated they made arrangements with human smugglers in their home countries to be smuggled to various locations in the U.S. for a smuggling fee. Rocio Del Carmen SERANO-Silva and Bernardo TELLO-Beltran and Gilardo VILLEGRAS-Escalante all provided physical descriptions of the person that closed the back door of the trailer that resembled GREEN. Ruben CASTILLO-Luna, Jose Rogelio RODRIGUEZ-Zaragoza and Gilardo VILLEGRAS-Escalante were able to identify GREEN as the person who closed the rear doors of the trailer in a six (6) person photo array. Alejandro CARINO-Balmes and Bernardo TELLO-Beltran were unable to identify GREEN in a six (6) person photo array.

HSI Laredo Special Agents took custody of GREEN and charged him with violations of Title 8, U.S. Code section 1324, Alien Smuggling.